

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 20, 2008

DIVISION ONE

B205173 People (Not for Publication)

V.

Gildardo Juarez Sanchez

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
Weisberg, J. (Assigned)

DIVISION FIVE

B200678 Ralph Leung

V.

Soldwedel, et al.,

Filed order modifying opinion. (No change in the judgment)

DIVISION SIX

B204270 Save Our Ring of Green (Not for Publication)

V.

City of Thousand Oaks

The judgment is affirmed. Respondents and real parties in interest shall recover costs.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

DIVISION SIX (continued)

B200238 Signal Hill Petroleum, INC. et al., (Not for Publication)
 v.
 King etc., et al.,

The judgment (order granting summary judgment) is affirmed. King is ordered to pay costs on appeal.

Yegan, J.

We concur: Gilbert, P.J.
 Perren, J.

B202054 MBA Associates, INC. etc., (Not for Publication)
 v.
 Los Angeles Unified School District, etc.,

The judgment is affirmed. Respondent (District) is awarded costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
 Perren, J.

B196583 Widders (Certified for Publication)
 v.
 Furchtenicht

The order sustaining Furchtenicht's demurrer to the complaint is reversed, and the order denying his anti-SLAPP motion is affirmed. On remand, the trial court shall enter judgment in favor of Widders. Costs on appeal are awarded to Widders.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

DIVISION SIX (continued)

B204373 Wazgner (Not for Publication)
v.
Hankins

We remand this matter to the trial court for further proceedings with the following instructions: The court shall determine whether the creditor's opposition was timely, and, if not, whether there was good cause for a late filing. If the opposition was timely, or if there was good cause for its late filing, the claim of exemption shall be denied. If it was untimely and without good cause for delay, the funds subject to levy shall be released and the court shall determine the refund or credit owed to Hankins for the amount of funds subject to execution during that levy. We leave to the court's discretion whether additional evidence or testimony is necessary. Each party is to bear his own costs on appeal.

Gilbert, P.J.

We concur: Yegan, J.
Coffee, J.

B203622 People (Not for Publication)
v.
Barron

Appellant's conviction under section 245, subdivision (a)(1), is affirmed. The gang enhancement imposed under section 186.22, subdivision (b)(1)(B), is vacated and the matter remanded with directions to resentence appellant on the gang enhancement under section 186.22, subdivision (b)(1)(A).

Coffee, J.

We concur: Yegan, Acting P.J.
Perren, J.

DIVISION SIX (continued)

B201933 People (Not for Publication)
v.
Maidana

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
Perren, J.

DIVISION SEVEN

B198876 People (Not for Publication)
v.
Hall

The judgment is reversed and the matter is remanded for the purpose of holding a hearing on Hall's Marsden motion. If the Marsden motion is granted, the trial court shall appoint substitute counsel to represent Hall at a new sentencing hearing and a new trial on the prior conviction allegations. If the Marsden is denied, the trial court shall reinstate judgment.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

B202933 People (Not for Publication)
v.
Chavez

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
Woods, J.

DIVISION SEVEN (continued)

B203858 Gail E., (Not for Publication)
 v.
 Alexander E.

The judgment is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.
 Jackson, J.

B197581 People (Not for Publication)
 v.
 Quesada

The judgment is affirmed in all respects except as to the calculation and award of presentence custody credits. The case is remanded to the trial court with directions to calculate the presentence custody credits for Phases I and III and to correct the abstract of judgment to reflect the proper presentence credit for those two phases and to note the Department of Corrections and Rehabilitation is to determine any applicable custody credits for Phases II and IV. The trial court shall forward a copy of the corrected abstract of judgment to the Department of Corrections and Rehabilitation.

Perluss, P.J.

We concur: Woods, J.
 Zelon, J.

DIVISION EIGHT

Court convened at 9:15 a.m.

Present: Cooper, P.J., Rubin, J., Flier, J., Bigelow, J. and Connie Hon, Deputy Clerk.

DIVISION EIGHT (continued)

Each of the following:

B200451 People v. Lewis
B201890 People v. Maldonado
B203615 People v. Pichardo
B206589 DCFS v. E.G.
B199790 People v. T. H.

Argument waived, cause submitted.

Each of the following:

B196894 People v. Williams
B201660 Koshki v. Tranzon Asset Management
B197109 Gonzalez v. Granadeno et al.

Matter continued to October 28, 2008.

B202083 People
v.
Dino's Victory Roadhouse, Inc., et al.
City of Los Angeles

Appearances:

Larry G. Noe appears for appellant and Steven Blau and Jonathan Galatzan,
Deputies City Attorney appear for respondents. Argument waived, cause
submitted.

DIVISION EIGHT (continued)

B203713 People
 v.
 Paredes

Merits:
Argued by Patrick D. Moran, Deputy District Attorney for appellant and by
Sunnie L. Daniels for respondent. Cause submitted.

B199979 Sheridan
 v.
 Rintala

Merits:
Argued by Matthew Fortado for appellant and by Phillip Baker for
respondent. Cause submitted.

B203611 Baker et al.
 v.
 Standish

Merits:
Argued by Jason P. Fowler for appellants and by Richard Nakamura for
respondent. Cause submitted.

Cooper, P.J. left the bench.

B195856 Levine
 v.
 Friedman & Friedman et al.

Merits:
Argued by Joseph W. Singleton for appellant and by William M. Aitken
for respondents. Cause submitted.

Cooper, P.J., returned to the bench.

DIVISION EIGHT (continued)

B199552 Azoulai
 v.
 Blount

Merits:

Argued by Avi Azoulai, appellant in propria persona and by Bret Lewis for respondent. Cause submitted.

B201027 People
 v.
 Gumisiriza

Merits:

Argued by Betty A. Bridgers for appellant and by Thomas C. Hsieh, Deputy Attorney General for respondent. Cause submitted.

B194103 Alamo Medical Supply & Equipment
 v.
 Jehan Zeb Mir, M.D., dba A.L.R. Family Health Center

Merits:

Argued by John Schimmenti for appellant. Respondent waived oral argument. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Cooper, P.J., Rubin, J., Flier, J., Bigelow, J. and Connie Hon, Deputy Clerk.

B200088 The Aerospace Corporation
 v.
 Dunn

Merits:

Argued by Scott B. Kidman for appellant. Respondent waived oral argument. Cause submitted.

DIVISION EIGHT (continued)

B200551 Alexander
 v.
 Indiana Lumbermens Mutual Insurance Company

Merits:
Argued by Donald Mark for respondent and by E. Alan Nunez for
appellant. Cause submitted.

B203230 E. Munoz, As Trustee, etc.,
 v.
 Estrada et al.

Merits:
Argued by Lillie B. Musil for appellants and by Amy B. Alderfer for
respondents. Cause submitted.

B199242 People
 v.
 Iniguez & Romo

Merits:
Argued by Barbara Smith and Ava Stralla for appellants and by Catherine
Okawa Kohm, Deputy Attorney General for respondent. Cause submitted.

Rubin, J., left the bench.

B195862 Java Oil Limited et al.
 v.
 Sullivan, II

Merits:
Argued by Harold Sullivan, II, appellant in propria persona and by David
A. Steinberg for respondents. Cause submitted.

Court adjourned.

DIVISION EIGHT (continued)

B192716 Hakakha
 v.
 Quality of Life Health Corp. et al.,

 Filed order denying petition for rehearing.

B207567 Stephen Gaggero
B209522 v.
 Knapp, Petersen & Clarke, et al.,

 Filed order consolidating above captioned appeals.